

Message Text

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62
ACTION EUR-12

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TO SECSTATE WASHDC 2887
INFO AMEMBASSY BELGRADE
AMEMBASSY BONN
AMEMBASSY BUCHAREST
AMEMBASSY BUDAPEST
AMEMBASSY MOSCOW
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
AMEMBASSY WARSAW
RUFHJA /USMISSION USBERLIN UNN
USMISSION USNATO

C O N F I D E N T I A L BERLIN 6261

E.O. 11652: GDS
TAGS: CGEN, CVIS, PFOR, CSCE
SUBJECT: VISAS: NIV PROCEDURE: AN APPLICATION FOR THE GDR

REFS: (A) BERLIN 6050; (B) BUDAPEST 1976 (NOTAL);
(C) BELGRADE 2868 (NOTAL)

1. WE APPRECIATE THE INFORMATION PROVIDED IN REFTELS
B AND C CONCERNING ADAPTATIONS OF FS-257A FOR USE IN
EASTERN EUROPE AS WELL AS INFORMATION PROVIDED DIRECTLY
TO US BY THE CONSULATE GENERAL, USMISSION BERLIN.

2. WE BELIEVE THAT THE COINCIDENCE OF POLITICAL
AFFILIATION, CRIMINALITY, ILLNESS, AND ANTI-SOCIAL
BEHAVIOR AS SUBJECTS FOR INQUIRY IN QUESTION 32
(FORM FS-257A GERMAN) PALES IN SIGNIFICANCE WHEN CONSIDERING
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THE GDR'S FAILURES TO LIVE UP TO BASKET III COMMIT-

MENTS UNDER THE HELSINKI FINAL ACT. IT SEEMS CLEAR THAT THE ARGUMENTATION USED BY THE CONSULAR DEPARTMENT MFA (SEE REF A) WAS INTENDED TO DIRECT ATTENTION AWAY FROM THE GDR'S UNWILLINGNESS TO TAKE THIS SMALL BUT USEFUL STEP (ELIMINATION OR REDUCTION OF NIV FEES) TO EXPAND TRAVEL POSSIBILITIES. NEVERTHELESS, WE SEE A CERTAIN VALUE TO REVISING OUR PASIC FS-257A (GERMAN) ALONG THE LINES SUGGESTED.

3. WE HAVE BEEN EXAMINING WAYS OF REDUCING PROCESSING TIME FOR NIV CASES WITHOUT SACRIFICING THE JUDICIOUS ASSESSMENT VISA OFFICERS MUST MAKE IN EASTERN EUROPEAN CASES UNDER THE INA. AN OBSTACLE HERETO IS THE DEVELOPMENT OF MEANINGFUL INFORMATION IN QUESTION 32, FS-257A (GERMAN), NEEDED TO MAKE JUDGEMENTS ON ELIGIBILITY AND "INVOLUNTARINESS" UNDER 212(A) (28), TO ENABLE "WAIVER OF PERSONAL APPEARANCE" TO BE USED MORE WIDELY. WE HAVE BEEN USING FS-257A (GERMAN) TOGETHER WITH DSP-70 AS AN EXPEDIENT.

4. ACCORDINGLY, THE EMBASSY BELIEVES THAT INTRODUCTION OF A REVISED NIV APPLICATION FORM WOULD BE OPERATIONALLY VALUABLE AND ALSO CONSISTENT WITH THE HELSINKI FINAL ACT. WE THEREFORE REQUEST THE DEPARTMENT'S APPROVAL FOR THE FOLLOWING:

A. REVISION OF FS-257A (GERMAN) INTO A NEW NONSTANDARD GERMAN LANGUAGE NIV APPLICATION TO BE DESIGNATED BFP-1. BFP-1 WOULD INCLUDE QUESTIONS 1-30 OF FS-257A (GERMAN); WOULD OMIT QUESTION 30A (CONCERNING GDR OR EAST BERLIN RESIDENCE) AND RETAIN QUESTIONS 31 AND 32(1), THE LATTER AS 32. QUESTIONS 33-36 WOULD BE THE SAME AS QUESTIONS 31-34 IN BDP-5. THE REFERENCE TO HUNGARY WOULD BE CHANGED TO THE GDR. THE SIZE OF PROPOSED FORM BFP-1 OULD NOT EXCEED 5 X 12 INCHES.

B. WHEN BFP-1 IS INTRODUCED, USE OF DSP-70 WOULD BE TERMINATED.

C. THE CONSULAR DEPARTMENT MFA WOULD NOT BE INFORMED WHEN BFP-1 WAS INTRODUCED, BUT WE WOULD PROPOSE TO TELL THE MFA, IF ASKED, THAT THE CHANGE WAS MADE TO EASE NIV PROCESSING BY REDUCING (BUT NOT ELIMINATING) THE NEED FOR PERSONAL APPEARANCES BY GDR NIV APPLICANTS CONSISTENT WITH US LAWS

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AND REGULATIONS.

5. THE DEPARTMENT'S APPROVAL OF THE FOREGOING IS REQUESTED. WE EXPECT TO HAVE THE NEW FORM LOCALLY PRINTED (WEST BERLIN). COOPER

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